

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Friday, the 7th day of December, 2018

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr.JUSTICE M.VIJAYARAGHAVAN (Retd.)
and

Members

Mrs.Usha Rani
Miss.R.Gandhimadhi

C.M.A.No.1326 of 2015

Appeal against the Judgment and Decree dated 18.07.2014 made
in M.C.O.P. No.4921 of 2010, on the file of Special Sub Judge -
II, Motor Accidents Claims Tribunal, Chennai.

1.S.Ramanibai
2.S.Gowrishankar
3.S.Bhavanishankar
4.P.Visalatchi

.. Appellants/Petitioner

Vs.

1.G.Harikrishnan
(Set ex-parte before the Tribunal)

2.Bajaj Allianz General Insurance Co. Ltd.,
No.25/26, Prince Towers, 4th floor,
College Road, Chennai - 600 006.

.. Respondents/Respondents

This case has been listed today and came up for settlement
before the Lok Adalat. Both parties are present. The learned
counsel for the appellant Mrs.S.Agalya for Mr.A.Shanmugaraj and
the learned counsel for the respondent Mr.R.V.Sivaraj on behalf
of Mr.D.Baskaran and Ms.N.Thilagavathy, Senior Legal Officer,
Bajaj Allianz General Insurance Company Limited are present. are
present. After mutual discussion, negotiation, mediation and
conciliation between both parties, they arrived at a compromise
to settle the matter as follows:

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.10,35,000/- (Rupees Ten Lakhs Thirty Five Thousand only) with interest at 7.5% per annum from the date of petition till the date of deposit. It is represented by the legal officer for the second respondent / Insurance Company that the award amount has already been deposited before the Tribunal and the same has been withdrawn by the claimants / appellants.

2. Not satisfied with the award of the Tribunal, the claimants / appellants have preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs. 4,00,000/- (Rupees Four Lakhs only), as full quit of the claim over and above the awarded amount before the Tribunal.

3. The Respondent / Insurance company is directed to deposit the additional award amount of Rs.4,00,000/- (Rupees Four Lakhs only), as full quit of the claim over and above the awarded amount within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the 1st appellant is entitled for Rs.2,00,000/- (Rupees Two Lakhs only) and the 2nd and 3rd appellant are entitled for Rs.80,000/- (Rupees Eighty Thousand only) each and the 4th appellant is entitled for Rs.40,000/- (Rupees Forty Thousand only) without filing any formal petition before the Tribunal. The Award is passed accordingly.

5. The Tribunal is directed to issue the amount through cheque / RTGS to the parties concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Sd/-

1.S.Ramanibai

Sd/-

2.S.Gowrishankar

Sd/-

3.S.Bhavanishankar

Sd/-

4.P.Visalatchii

Sd/-

.. Counsel for the Appellants

Sd/-
Bajaj Allianz General Insurance Co. Ltd.,
No.25/26, Prince Towers, 4th floor,
College Road, Chennai - 600 006.

Sd/-
.. Counsel for the Respondent

This Lok Adalat award is passed in terms of the above
settlement.

The full Court fee paid shall be refunded to the appellant
in the manner provided under Section 69-A of the Tamil Nadu
Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act,
1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA
Act 1987 as amended in 1994.

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
Special Sub Court - II, Chennai.
2. The Secretary, High Court Legal Services Committee, Chennai.
3. The Section Officer, V.R. Section, High Court, Madras.
4. The Section Officer, Lok Adalat Section,
High Court, Madras. +2 copies

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VGII (CO)
CS/22/01/2019